



Docket No. 7031892001

Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

[X] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

[] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner _____ at Facsimile No. _____ at _____ a.m./p.m.

Dated: April 18, 2003

Name of Person Certifying: _____

Printed Name: MARTI L. GARCIA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael J. Wolt et al.

Filing Date: October 31, 2001

Serial No.: 10/001,464

Title: **LOW GLYCEMIC INDEX BREAD**

Assignee: ConAgra Foods, Inc.

Examiner: L. Tran

Group Art Unit: 1761

Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED

APR 28 2003

TC 1700

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached Form PTO/SB/08B are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.
- ☐ Before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114.
- ☐ Before the mailing of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement:

- ☐ the Commissioner is hereby authorized to charge Deposit Account No. _____, Docket No. _____ for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

04/24/2003 GWDRDF1 00000066 502518
01 FC:1806 180.00 CH

☐ a statement as specified in 37 C.F.R. § 1.97(e) is provided below.

This Information Disclosure Statement is filed:

☒ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing, or after the mailing of a first Office Action after the filing of a request for continued examination, but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and

☒ the Commissioner is hereby authorized to charge Deposit Account No. 50-2518, Docket No. 7031892001, for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

☒ a statement as specified in 37 C.F.R. § 1.97(e) is provided below.

This Information Disclosure Statement is filed:

☐ After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, but on or before the payment of an issue fee, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

Pursuant to 37 C.F.R. § 1.97(e), the undersigned certifies that:

☒ Each item of information contained in the Information Disclosure Statement was first cited in any communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

II. Copies of the Cited Items:

☒ Copies of all of the items listed on the attached Form PTO/SB/08B are enclosed.

☐ Copies of only the following items listed on the attached Form PTO/SB/08B are enclosed: _____.

☐ Copies of those items which are marked with an asterisk (*) in the attached Form PTO/SB/08B are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. _____, filed _____ and

relied upon in this application for an earlier filing date under 35 U.S.C. § 120.
See 37 C.F.R. § 1.98(d).

- ☐ Copies of those items which are marked with an asterisk (**) in the attached Form PTO/SB/08B were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

III. Concise Explanation of Relevance:

- ☒ A concise explanation of relevance of the items listed on Form PTO/SB/08B is not given.
- ☐ A concise explanation of relevance of [some of] the items listed on Form PTO/SB/08B is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

IV. Conclusion:

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08B with initials or other appropriate marks.

The Commissioner is hereby authorized to charge Deposit Account No. 50-2518 Docket No.: 7031892001 for any additional fees required in connection with the filing of this Information Disclosure Statement.

DATE: April 18, 2003

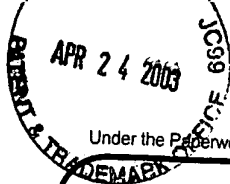
Respectfully submitted,

By: 

Robert A. Schroeder

Registration No.: 25,373

Bingham McCutchen LLP
Three Embarcadero Center, 18th Floor
San Francisco, California 94111
Telephone: (213) 680-6413
Telefax: (213) 680-6499



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

PTO/SB/08B (10-01)

Substitute for form 1449B-PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/001,464
Filing Date	October 31, 2001
First Named Inventor	Michael J. Wolt
Art Unit	1761
Examiner Name	L. Tran
Attorney Docket Number	7031892001

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
	1	International Search Report of International Application No. PCT/US02/34886, filed October 31, 2001.	
	2		
	3		
	4		
	5		
	6		
	7		
	8		
	9		
	10		
	11		
	12		
	13		
	14		
	15		
	16		
	17		
	18		
	19		
	20		
	21		
	22		
	23		
	24		
	25		
	26		
	27		
	28		
	29		
	30		

RECEIVED

APR 28 2003

TC 1700

Examiner's
Signature

Date
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

+ Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.